

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (currently amended): A router with a precedence control function comprising:  
  
means for collecting empty band related information related to an empty band of each route existing between an own router and a destination of a communications IP packet, and for storing route determining information including the collected empty band related information, a route from which collecting said empty band related information is collected, and precedence of said communications IP packet in a route storing portion, in the event of receiving the communications IP packet from a terminal directly connected to the own router; and  
  
a route specifying portion for finding all of the route determining information having precedence equal to said communications IP packet and ~~a route-matching a route~~ one of the routes available for said communications IP packet and selecting a route having no overlapping with a route used by an other packet with precedence higher than said communications IP packet and said route having the largest empty band among routes in the found route determining information as the route of said communications IP packet, in the event of receiving the communications IP packet from a terminal directly connected to the own router.
2. (previously presented): The router with a precedence control function as claimed in claim 1, wherein said empty band related information is a return time of dummy packets.

3. (previously presented): The router with a precedence control function as claimed in claim 1, wherein said means for collecting empty band related information comprises:

a dummy packet generating portion for transmitting a dummy packet requiring a return dummy packet in which each route available for said communications IP packet includes originating time, precedence and a route of said communications IP packet and a last router includes said originating time, precedence and the route, in the event of receiving a communications IP packet from a terminal directly connected to the own router,

a return time measuring portion for calculating a return time of the dummy packet based on a time when the dummy packet was originated and ~~at the time when said return dummy packet is received and an originating time in said return dummy packet,~~ in the event of receiving the return dummy packet, and storing the route determining information including said calculated return time, precedence of said return dummy packet and the route of said return dummy packet in said route storing portion.

4. (currently amended): The router with a precedence control function as claimed in claim 3, wherein said dummy packet generating portion transmits ~~has a composition of transmitting~~ the dummy packet at each time when a predetermined number of communication IP packets are received from a terminal directly connected to the own router.

5. (currently amended): A machine-readable recording medium for recording a program for actuating a computer for a router as;

means for collecting empty band related information related to an empty band of each route existing between a computer for an own router and a destination of a communications IP packet, and for storing route determining information including the collected empty band related information of each route, ~~a route from which collecting said empty band related information is collected~~ and precedence of said communications IP packet in a route storing portion, in the event of receiving the communications IP packet from a terminal directly connected to the computer for the own router; and

a route specifying portion for finding all of the route determining information having precedence equal to said communications IP packet and ~~a route matching a route~~ one of the routes available for said communications IP packet and selecting a route having no overlapping with a route used by an other packet with precedence higher than said communications IP packet and said route having the largest empty band among routes in the found route determining information as the route of said communications IP packet, in the event of receiving the communications IP packet from a terminal directly connected to the computer for the own router.